

**Springerville Town Council
Minutes
April 7, 2004**

Present: Mayor Kay Dyson, Vice-Mayor Mary Nedrow, Mark Baca, Scott Cray and Ramon Castillo

Staff: Kurt Hassler Town Manager, Val Cordova Town Clerk, Sterling Solomon Town Attorney and Steve West Chief of Police.

Public: Jeff Barbe, Betty Amator, Margaret Coalter, Edde Castillo, Kassandra Cordova, Dave and Amy Pulsifer, Allen Watkins, Peggy Reed, Pete Hunt, Pat and Evelyn Arabie, and Tracey Powers.

1. Call to Order

Mayor Dyson called the meeting to order at 6:00 p.m.

2. Pledge of Allegiance and Invocation

The Pledge of Allegiance was led by Vice-Mayor Nedrow
Invocation by Scott Cray

3. Public Participation

Jeff Barbe commented that he read in the newspaper that the skate board park had been taken over by the BMX bikers and they had been promised a bike park. He stated that he sits on the parks committee and said he would like to see the town get a park for them before conflict erupts between them.

Mr. Hassler responded to Mr. Barbe's comment saying that he and Chief West had discussed this issue and said that there was a bike park behind Circle K. He explained that both the skate boarders and the bikers are using the skate board park and they are keeping a close watch to make sure there are no conflicts. He personally has not seen any problems while the park is in use by both mixtures and will continue to allow the dual use until they see a problem.

He advised everyone that none of the kids utilizing the park have come in to make any complaints and they are the main feed back. If they come in and complain about being bullied or abused they will take care of it.

Councilman Castillo thanked the American Legion and local people from town that sent cards and food to his son while he was in Iraq. He arrived home two weeks ago safe and sound.

Mr. Hassler recommended going into executive session for item 15 at this time, as David Brown legal counsel for the town on the water adjudication has prior commitments and has to leave early.

15. Water Adjudication: Consider entering into executive session to discuss the current water adjudication lawsuit.

Motion by Scott Cray/Ramon Castillo to adjourn into executive session at 6:05pm to hear legal counsel on this lawsuit.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Ramon Castillo
		Mark Baca
		Scott Cray

Mayor Dyson called the meeting back to order at 6:25pm.

4. Manager, and Council Reports

Council Reports

Vice-Mayor Nedrow said there was a planning and zoning meeting tomorrow night. There will be a workshop at 6:00pm and the regular meeting at 7:00 at the senior center.

Mayor Dyson reported that she and Mr. Hassler attended the Apache and Navajo Mayor, Managers meeting on the 5th. They heard reports from the Governor's office regarding the budget deficit. Congressman Renzi will be in Show Low tomorrow from 9:30 to 10:30 a.m. at the city council chambers. Steve West will be representing the town.

She met with the health department today regarding individuals home bound during fire evacuations. They are putting together a list of individuals that cannot get out and asked the public to notify them or Sharon at the senior center in order to prepare for the fire season.

The Health Care District will meet tomorrow at 5:00pm in St. Johns at the St. Johns Family Health Center.

Councilman Cray reported that he attended the Eagar Town Council meeting last night to hear their presentation on the creation of a fire district and thought it might be something that Springerville might be interested in doing but missed the presentation. By creating a fire district it would separate those funds from the city coffers and they could be funded by property taxes.

He also communicated with Eagar Council members regarding open lines of communication between the two towns which was well received. Mayor Burk suggested waiting until after the new Council is sworn in.

Town Managers Report:

Mr. Hassler reported that Michelle the executive secretary does the minutes for the airport committee and has not had a chance to talk to her about the meeting.

The building committee is dealing with two issues they are dealing with. They hope to have papers ready by the end of next week to hand over to the title company. The other issue they are working on is the floor plan. They have a tentative floor plan worked up and hope to be ready to present that possibly as early as the next meeting. Tomorrow they have gentleman from Southwest Hazard, a remediation for a mold, lead and asbestos coming to meet with him and Tom to tour the building. They will give the town a ball park number of how much it will cost to remediate. If they can get the cost estimates by next week they should be able to have the group make a presentation.

In other items the public works department should finish the water line for Mr. Moses tomorrow. We are at the property line now and will add two sections of pipe to allow for him to install fire hydrants. The sewer line is scheduled to begin on April 19th and moving forward. The tentative completion date is mid-May.

5. Town Clerk Report: Hear a report from the Town Clerk regarding activities in the past year in the Town Clerk's Office.

Mayor Dyson announced that before hearing a report from the Town Clerk they wanted to acknowledge that tonight was Val's 17th anniversary with the town. To show their appreciation they presented her with flowers and a card and thanked her for her dedication.

Val then reported on the things that have happened over the past year beginning with moving the town clerks office across the hall. Employee files were streamlined for easy access as well as data bases created. Policies were implemented to assure that employee files will meet audit standards.

Approximately 220 cubic feet of old records were disposed of. Election and personnel files will be destroyed when the fire department burns the old section of the school building.

We held a primary election in March. Of 1268 registered voters only 286 voters came to the polls. This was 20% voter turn out. 32% of the ballots cast were due to voter outreach.

Ms. Margaret Coalter Apache County explained that voter outreach is just starting a new phase and sees it as a phase of the future. The results are seen in the 32% increase in just two years. The goal is to increase voter turnout through this process.

Val thanked the Council, Mr. Hassler and staff for their support.

6. Proclamation: Consider authorizing the Mayor to sign a proclamation designating the week of May 2 through May 8, 2004 Municipal Clerks Week.

Mayor Dyson read the proclamation and explained that this is an annual event to honor those who serve as municipal clerks across the country.

Motion by Scott Cray/Mary Nedrow to authorize the Mayor to sign the Proclamation to designate May 2, 2004 to May 8, 2004 as Municipal Clerk's Week.

Val said that she would like the Councils continued support with continuing education and to attend a future IIMC conference.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

7. **Proclamation:** Consider authorizing the Mayor to sign a proclamation designating the week of May 10, 2004 as Small Business Week.

Mayor Dyson Read the proclamation and said this proclamation is an annual event to honor small businesses not only in Springerville, but all across the country.

Motion by Mary Nedrow/Ramon Castillo to authorize the Mayor to sign the proclamation to designate the week of May 10, 2004 as Small Business week.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

8. **Proclamation:** Consider authorizing the Mayor to sign a proclamation designating May 15, 2004 as Peace Officers' Memorial Day and the week of May 9 through May 14, 2004 as Police Week.

Mayor Dyson explained that this was brought to the town by the American Legion designating May 15th as Peace Officers Memorial and the week of May 9th through the 14th as police week. She also stated that they have been asked to participate in Peace Officers Memorial Day on Saturday the 15th at 10:00 a.m. and asked that Vice-Mayor Nedrow and any other council and staff to attend. She asked that the town lower the flag to half mast on that day in honor of all peace officers who have passed away and served the community.

Motion by Mark Baca/Scott Cray to authorize the Mayor to sign the Proclamation to designate May 15, 2004 as Peace Officers' Memorial Day.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

Chief West announced that Springerville has one fallen officer, Sam Jaramillo and it is a pleasure to be able to memorialize him.

9. **Proclamation:** Consider authorizing the Mayor to sign a proclamation designating May 29, 2004 as World War II Veterans Recognition Day.

Mayor Dyson explained that the American Legion has requested that this is a national event taking place in Washington, D.C. and all of the towns in the United States to honor those who have served in World War II. There is a very special memorial that will be dedicated. In honor of this event there will be some special ceremonies at the American Legion and there will be a prayer breakfast at 9:00 a.m. They would like to thank the people that served in World War II.

Motion by Ramon Castillo/Mary Nedrow to authorize the Mayor to sign the Proclamation to designate May 29, 2004 as World War II Veterans Recognition Day.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

10. **Minutes:** Consider approval of the minutes from the town council meeting held on March 24, 2004.

Councilman Cray said he would like to do some clarification regarding a quote in the newspaper. He explained that during the meeting there was a round-robin discussion and was summarizing what he thought had been said. "Safety versus economics" It is not that he believes economics is greater than safety, it was just misquoted in the paper.

Mayor Dyson explained that his correct comment was put in the minutes verbatim.

Motion by Scott Cray/Kay Dyson to approve the minutes of March 24, 2004.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

11. **Ordinance 2004-003** – Second reading and discussion of Ordinance 2004-003 regarding the restriction of open fires.

Mayor Dyson read "An ordinance of the Town of Springerville, Arizona, prohibiting certain open outdoor fires in the Town of Springerville during periods when such fires are prohibited by the United States Forest Service or by authorization of the town manager; establishing an effective date; providing for severability and providing penalties for violations.

Mr. Hassler explained that this just protects the community. Public notices will be sent out if this has to be put in effect.

12. **Ordinance 2004-003:** Consider adopting Ordinance 2004-003 regarding the restriction of open fires.

Motion by Scott Cray/Mark Baca to authorize the Mayor to sign ordinance 2004-003 regarding the restrictions of open fires in the Town of Springerville.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

13. **Water and Sewer Rates:** Consider setting a public hearing regarding proposed water and sewer rate changes.

Mayor Dyson stated that they had met with most of the business owners to take comments and have some adjustments to propose. Tonight they propose to set the public hearing date for May 6th at 6:00 pm

Motion by Mary Nedrow/Ramon Castillo to set a public hearing date for May 6, 2004 to receive public comments regarding potential water and sewer rate changes.

Councilman Cray stated he was not opposed to hearing public comments but was opposed to changing the rates.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo

Nays: Scott Cray

14. **Review of Resolution 531:** Discussion and possible action regarding Resolution 531 regarding payments to council members.

This item was discussed at the last meeting. The council asked for information on what other towns are doing. We have contacted several surrounding communities. Of those that we contacted, only Taylor pays based on meeting attendance. They pay \$40 per meeting, and that includes regular meetings, special meetings, and work sessions. The pay for each council is listed below. The pay is per month.

Mr. Solomon recommended to the council that they just need to change it to clarify what they would like.

Mr. Hassler suggested that a clause be put in stating that each council member may elect to refuse this compensation. He said Ed Shields the finance director is checking with the IRS to see if they can allow council members to divert them into another fund.

He said they would bring another resolution with the changes for approval.

Motion by Mark Baca/ Scott Cray to table this until the next meeting.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

16. **Liability Insurance:** Consider authorizing the town manager to set liability insurance limits with the town's insurance company.

Mr. Hassler explained that at the previous meeting they talked about the possibility of lowering the town's additional liability insurance from \$8,000,000 to \$3,000,000. The council tabled the issue and requested information on what other towns are doing. He recommended that because of the school renovation the town should stay at the \$8,000,000 liability limit.

Motion by Ramon Castillo/Mark Baca that we keep the town's liability insurance at \$8,000,000.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

17. **Request for Funds:** Consider authorizing the Town Manager to make a payment to the Old Spanish Trail Sculpture and Art, Inc.

Councilman Baca declared a conflict of interest because he sits on the project committee and left the room.

Mayor Dyson explained that this group is asking for \$1,000 to build a sculpture in front of the high school dome. This will help pay for a grant writer to obtain more grant money.

There was no one available to ask about the project. The council asked Mr. Hassler to write a letter to them asking them to come to the next meeting.

Motion by Scott Cray/Mary Nedrow to table this item.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Ramon Castillo
		Scott Cray

18. **Proposed Ordinance:** Discussion on proposed changes to Title 2 – Administration and Personnel of the Springerville Municipal Code.

Mayor Dyson stated that no action would be taken tonight on this item only discussion. They will be going chapter by chapter looking at things that need to be corrected, added, or omitted to bring it up to a modern day municipal code. They have been presented several pages for review. All the items in blue are additions, the yellow are deletions.

Mr. Solomon commented that if there are changes in the code that are not clerical then it has to be done chapter by chapter and one ordinance for each chapter. He also noted that this was just for discussion.

Mayor Dyson said she noticed several items that need to be deleted.

Mr. Solomon was directed to check several items and bring them back. He noted that he will watch for those items that cannot be deleted due to A.R.S.

Mr. Hassler said he wanted to bring to their attention that in the absence of a town manager the mayor is to assume those duties will be changed to say that the council by a majority vote will appoint an interim town manager.

19. **Polling Place Agreement:** Consider authorizing the Mayor to sign a polling place agreement with Apache County to use the Springerville Fire Station as a polling place until December 31, 2004.

Motion by Scott Cray/ Mary Nedrow to authorize the Manager to enter into an agreement with Apache County to use the Springerville Fire Station as a polling place until December 31, 2004.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

20. **Per Diem Request:** Consider authorizing reimbursement to Kay Dyson for attending a meeting.

Mayor Dyson declared a conflict of interest and left.

Kay attended a meeting for the NACOG and is requesting the \$50 per diem per meeting as per Resolution No. 531. No action was taken on this item at the last meeting due to a lack of quorum.

Motion by Mark Baca/Ramon Castillo to authorize the town manager to pay Kay Dyson \$50 for attending the NACOG meeting on February 26, 2004 in Flagstaff.

Vote:	Ayes:	Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

21. **Per Diem Request:** Consider authorizing reimbursement to Scott Cray for attending a meeting.

Scott Cray declared a conflict of interest and left the room.

Scott attended a meeting for the Blue Hills Environmental Board and is requesting the \$50 per diem per meeting as per Resolution No. 531.

Motion by Mary Nedrow/Mark Baca to authorize the Town Manager to pay Scott Cray \$50 for attending the Blue Hills Environmental Board meeting on March 4, 2004 in St. Johns.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo

22. **Zoning Administrator:** Discussion on how to replace existing zoning administrator.

Mayor Dyson explained that our town manager will be leaving on June 30th. Part of the managers job has been to act as the zoning administrator. They are looking at how to adjust those positions. Legal counsel has been asked to assist with researching this issue.

Mr. Solomon advised the Council that he does not have anything that the council can base a decision on tonight.

Mayor Dyson felt that they should separate these positions as they have done in the past with full knowledge that the planning and zoning position is not a full time job. Combining this position with other job functions are being considered and would like to see job descriptions for the zoning administrator.

Motion by Mary Nedrow//Ramon Castillo to wait for information from legal counsel to go forward with this position.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

23. **Adjournment:**

Motion by Mary Nedrow/Mark Baca to adjourn the meeting.

Vote:	Ayes:	Kay Dyson
		Mary Nedrow
		Mark Baca
		Ramon Castillo
		Scott Cray

The meeting adjourned at 8:05 p.m.

Kay Dyson, Mayor

ATTEST:

Town Clerk

I hereby certify that the foregoing is a true and correct copy of the minutes of the Springerville Town Council in regular session on Wednesday April 7, 2004. I further certify that the meeting was duly called and a quorum was present.

Dated this 9th Day of April 2004

Town Clerk